IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

WP(C).No. 31821 of 2007(L)

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PETITIONER:

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P.V. KURIACHAN, AGED 48 YEARS,
S/O. VARKEY, PULIKAYIL HOUSE, P.O. CHOTTUPARA,
THRISSUR.

BY ADV. SRI.P.GOPALAKRISHNA MENON
SRI.M.JITHESH MENON

RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, THRISSUR.

BY GOVERNMENT PLEADER SRI. M.R. SABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX**

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE APPLICATION FOR REGULAR PERMIT FILED BY THE PETITIONER DATED 25.4.2006

EXT.P2- TRUE COPY OF THE COVERING LETTER FILED BY THE PETITIONER DATED 25.4.06

EXT.P3- TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 14.6.06

EXT.P4- TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 18.1.07

EXT.P5- TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER DATED 31.7.07

EXT.P6- TRUE COPY OF THE LETTER PRODUCING CURRENT RECORDS BY THE PETITIONER DATED 23.7.07

EXT.P7- TRUE COPY OF THE ORDER OF THE 1ST RESPONDENT DATED 18.8.07

(TRUE COPY)

P.A TO JUDGE

**ANTONY DOMINIC, J**

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W.P.(C).31821/2007

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Dated this the 27th day of November, 2007

**JUDGMENT**

Petitioner was granted Ext.P3 permit on the basis of Ext.P1 application for regular permit. Ext.P1 itself evidences that the seating capacity of the vehicle offered is 28. By Ext.P6, petitioner sought issuance of the regular permit already granted in respect of the vehicle mentioned therein which has the seating capacity of 28. This application has been rejected by Ext.P7. The only reason stated in Ext.P7 is that the permit was granted to a vehicle with the seating capacity of 48 in all, and what the petitioner now produced is a vehicle with seating capacity of 28. This appears to be erroneous. A reading of Ext.P1 application shows that the vehicle offered at the time of initial grant was with 28 seats. If so, the reason stated in Ext.P7 does not appear to be correct.

2. Accordingly quashing of Ext.P7, I dispose of this writ petition directing that the second respondent shall issue

the granted regular permit to the petitioner in respect of the vehicle KL-8/R.7959 within a period of three weeks on production of a copy of this judgment.

**ANTONY DOMINIC**
**Judge**

mrcs